

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
TUESDAY, MARCH 23, 2004 AT 10:00 A.M.
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

NOTE: The public portion of the meeting will begin at 10:00 a.m. The City Council will meet in Closed Session this morning from 9:00 a.m. – 10:00 a.m. Copies of the Closed Session agenda are available in the Office of the City Clerk.

OTHER LEGISLATIVE MEETINGS

A Special Joint Meeting of the **CITY COUNCIL/REDEVELOPMENT AGENCY** has also been scheduled. For more information, please contact the Redevelopment Agency Secretary at (619) 533-5432.

The **SAN DIEGO HOUSING AUTHORITY** is scheduled to meet today in the Council Chambers. A separate agenda is published for it, and is available in the Office of the City Clerk. For more information, please contact the Housing Authority Secretary at (619) 578-7540.

ITEM-300: ROLL CALL.

NON-AGENDA PUBLIC COMMENT

This portion of the agenda provides an opportunity for members of the public to address the Council on items of interest within the jurisdiction of the Council. (Comments relating to items on today’s docket are to be taken at the time the item is heard.)

Time allotted to each speaker is determined by the Chair, however, comments are limited to no more than three (3) minutes **total per subject** regardless of the number of those wishing to speak. Submit requests to speak to the City Clerk **prior** to the start of the meeting. Pursuant to the Brown Act, no discussion or action, other than a referral, shall be taken by Council on any issue brought forth under “Non-Agenda Public Comment.”

COUNCIL, CITY ATTORNEY, CITY MANAGER COMMENT

REQUEST FOR CONTINUANCE

The Council will now consider requests to continue specific items.

=== LEGISLATIVE SCHEDULE ===

Noticed Hearings

- ITEM-330: Street Name Change – Marlborough Avenue to Jamies Way. City Heights Community Area. (Dist. 3)
CITY MANAGER’S RECOMMENDATION: Adopt the resolution.
- ITEM-331: Rose Creek Bike Path and Bridge. Mission Bay Park Master Plan and Pacific Beach Community Plan. (Dists. 2 and 6)
CITY MANAGER’S RECOMMENDATION: Adopt the resolution in Subitem A; and adopt the resolution in Subitem B to grant the permit.
- ITEM-332: Six actions related to KUSI Mixed Use Project – Amending the San Diego Municipal Code relating to the Marina Planned District Ordinance; Approving the Proposed Ninth Amendment to the Redevelopment Plan for the Centre City Redevelopment Project; Approving the Sale of Certain Property in the Centre City Redevelopment Project Area to McKinnon Properties, Inc. Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project. (Dist. 2)
CENTRE CITY DEVELOPMENT CORPORATION’S RECOMMENDATION: Introduce the ordinances in Subitems A and B; and adopt the resolutions in Subitems C, D, E, and F.

=== LEGISLATIVE SCHEDULE (Continued) ===

Noticed Hearings (Continued)

ITEM-333: Two actions relating to Approving the Eighth Amendment to the Redevelopment Plan for the Centre City Redevelopment Project. Centre City Redevelopment Project. (Dist. 2)
CENTRE CITY DEVELOPMENT CORPORATION'S
RECOMMENDATION: Introduce the ordinance in Subitem A and adopt the resolution in Subitem B.

Adoption Agenda, Discussion, Other Legislative Items

ITEM-334: Application for Economic Development Initiative (EDI) Grant for San Diego Rescue Mission Transitional Housing at 120 Elm Street. (Dist. 2)
SAN DIEGO HOUSING COMMISSION'S RECOMMENDATION:
Adopt the resolution.

Non-Docket Items

Adjournment in Honor of Appropriate Parties

Adjournment

=== EXPANDED CITY COUNCIL AGENDA ===

ADOPTION AGENDA, DISCUSSION, HEARINGS

NOTICED HEARINGS:

ITEM-330: Street Name Change – Marlborough Avenue to Jamies Way.

(City Heights Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-738)

Changing the name of Marlborough Avenue to Jamies Way.

CITY MANAGER SUPPORTING INFORMATION:

Jamies Way is proposed for the street name change of Marlborough Avenue between Lexington Avenue and Poplar Street. The applicants, Elene Bratton and Michael McNeeley, have requested the street name Jamies Way in honor of their son. Ms. Bratton and Mr. McNeeley note that on April 24, 2002, Jamie Morgan Mychael Bratton-McNeeley, a five year old neighborhood activist and friend of many neighbors, was tragically killed. Jamie was a very active and proud "Parkster." He participated in many clean-ups, tree plantings, crime walks, community events and, of course, parties. His dedication to helping others would be greatly honored by this name change.

Marlborough Avenue is a paved street between Poplar Street and Manzanita Drive and is an unimproved street in a steep canyon area between Manzanita Drive and Lexington Avenue. It is unlikely that Marlborough Avenue will be improved in this canyon area. Marlborough Avenue will remain as the street name continuing on from Lexington Avenue as an improved street to its terminus in the Kensington Community.

Renaming Marlborough Avenue at this location will relieve the confusion of the two streets not connecting, improving the convenience and safety of the public.

A petition seeking support of the street name change was approved by 100% of the affected property owners. The street name change will not affect any mailing addresses.

The City Heights Planning Committee approved the street name change on December 5, 2002. The motion to approve the name change passed 6-4-0. The Azalea Park Neighborhood Association unanimously approves of the street name change.

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-330: (Continued)

FISCAL IMPACT:

None. All costs will be paid by the applicant.

DEVELOPMENT SERVICES DEPARTMENT'S RECOMMENDATION:

Approval of this request.

Ewell/Broughton/AKW

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-331: Rose Creek Bike Path and Bridge.

Matter of approving, conditionally approving, modifying or denying an application for a Site Development Permit No. 4411, to develop a 1,710-foot long and 14-foot wide bicycle, pedestrian and emergency vehicle pathway that includes a 260-foot long and 16-foot wide clear-span bridge over the Rose Creek Channel, located between the east terminus of Pacific Beach Drive and the west terminus of North Mission Bay Drive in the RS-1-7 zone and within the boundaries of Mission Bay Park.

(Mitigated Negative Declaration No. 4411/Mitigation Monitoring and Reporting Program (MMRP)/ Site Development Permit (SDP) No. 7023/PTS 4411. Mission Bay Park Master Plan and Pacific Beach Community Plan. Districts 2 and 6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the resolution in Subitem A; and adopt the resolution in Subitem B to grant the permit:

Subitem-A: (R-2004-592 Cor. Copy) Tb (CACTION Tb)

Adoption of a Resolution certifying that Mitigated Negative Declaration No. 4411, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations section 15000 et seq.), that the declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of the Rose Creek Bike Path and Pedestrian Bridge project;

That the City Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that the Mitigated Negative Declaration, a copy of which is on file in the office of the City Clerk and incorporated by reference, is approved;

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-331: (Continued)

Subitem-A: (Continued)

That pursuant to California Public Resources Code section 21081.6, the City Council adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment, a copy of which is attached hereto and incorporated herein by reference;

That the City Clerk is directed to file a Notice of Determination (NOD) with the Clerk of the Board of Supervisors for the County of San Diego regarding the above project.

Subitem B: (R-2004-)

Adoption of a resolution granting or denying Site Development Permit No. 7023, with appropriate findings to support Council action.

SUPPORTING INFORMATION:

This project proposes the construction of a 1,710-foot long by 14-foot wide pedestrian, bicycle and emergency vehicle path, including a 260-foot long by 16-foot wide clear span bridge over the Rose Creek Channel, to connect the east end of Pacific Beach Drive to the west end of North Mission Bay Drive. The project is within Mission Bay Park and referenced in the Pacific Beach Community Plan. The required Site Development Permit is issued by the City of San Diego and the required Coastal Development Permit is to be requested from the State of California.

This item was presented to the City Council on December 9, 2003, and referred back to the City Manager. Councilmember Frye requested that staff obtain the recommendations of the Mission Bay Park Committee and Planning Commission prior to returning to the City Council.

The Planning Commission considered this project on February 12, 2004, and voted 7-0 on their Consent Agenda to recommend that the City Council adopt City staff recommendation to approve the project as presented in the Planning Commission Report No. P-04-030.

There was no opposition to the project. The Mission Bay Park Committee voted unanimously to approve the project on January 6, 2004, and on November 3, 2003, the Pacific Beach Community Planning Committee also voted unanimously to approve the project.

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-331: (Continued)

SUPPORTING INFORMATION: (Continued)

The City Manager recommends that the City Council Approve the Site Development Permit No. 7023. The City Council must first Certify the Mitigated Negative Declaration, LDR No. 4411 and Adopt the MMRP.

The Mitigated Negative Declaration and MMRP contains information on and addresses Water Quality and Drainage.

TRAFFIC IMPACT ANALYSIS:

The path and bridge are designed for bicycle, pedestrian and emergency vehicle use only and will have no impacts on adjacent City streets.

FISCAL IMPACT:

All costs associated with the project are recovered from an account maintained by the applicant.

Ewell/Christiansen/AIA/RMK

LEGAL DESCRIPTION:

The project site is located at Rose Creek north of De Anza Cove and south of the Mission Bay Boat and Ski Clubs within Mission Bay Park, the Coastal Zone, and the Mission Bay Park Master Plan Area.

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-332: Six actions related to KUSI Mixed Use Project – Amending the San Diego Municipal Code relating to the Marina Planned District Ordinance; Approving the Proposed Ninth Amendment to the Redevelopment Plan for the Centre City Redevelopment Project; Approving the Sale of Certain Property in the Centre City Redevelopment Project Area to McKinnon Properties, Inc.

(See Centre City Development Corporation Report CCDC-04-07/CCDC-04-13. Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project. District-2.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Introduce the ordinances in Subitems A and B; and adopt the resolutions in Subitems C, D, E, and F:

Subitem-A: (O-2004-111)

Introduction of an Ordinance amending Chapter 10, Article 3, Division 20, of the San Diego Municipal Code, by amending Section 13.2011, relating to the Marina Planned District Ordinance.

Subitem-B: (O-2004-112)

Introduction of an Ordinance approving and adopting the Proposed Ninth Amendment to the Redevelopment Plan for the Centre City Redevelopment Project (The “KUSI Mixed Use Development Amendment”).

Subitem-C: (R-2004-932)

Approving Comprehensive Sign Plan 2003-33 for the KUSI Mixed Use Development which is located within the Marina Planned District.

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-332: (Continued)

Subitem-D: (R-2004-934)

Certifying that the City Council has reviewed and considered information contained in the Master Environmental Impact Report (MEIR) for the Centre City Redevelopment Project, the Subsequent Environmental Impact Report to the MEIR for the Proposed Ballpark and Ancillary Development Projects, and Associated Plan Amendments, and the Secondary Study and Mitigated Negative Declaration for the KUSI Mixed Use Development, as they pertain to the Proposed Amendment to the Marina Planned District Ordinance providing for the KUSI Mixed Use Development and the Proposed Ninth Amendment to the Centre City Redevelopment Plan (The “KUSI Mixed Use Development Amendment”) and the implementation activities therefore, and including Conditional Use Permit 2003-33 and Comprehensive Sign Plan 2003-33, and approval of the sale of certain property in the Centre City Redevelopment Project Area to McKinnon Properties, Inc., pursuant to an Amended and Restated Owner Participation Agreement; making certain findings regarding the environmental impacts of the proposed Mixed Use Development and related actions; approving and adopting a Mitigated Negative Declaration with respect thereto; and adopting a Mitigation Monitoring and Reporting Program.

Subitem-E: (R-2004-935)

Approving the sale of certain property in the Centre City Redevelopment Project Area to McKinnon Properties, Inc; approving the amended and restated Owner Participation Agreement pertaining thereto; and making certain findings with respect to such sale.

Subitem-F: (R-2004-936)

Approving Conditional Use Permit 2003-33 for the KUSI Mixed Use Development.

NOTE: This is a Special Joint Public Hearing with the Redevelopment Agency. See the Redevelopment Agency Agenda of March 23, 2004 for a companion item.

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-333: Two actions relating to Approving the Eighth Amendment to the Redevelopment Plan for the Centre City Redevelopment Project.

(See Centre City Development Corporation Report CCDC-04-12/CCDC-04-06.
Centre City Redevelopment Project. District -2.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Introduce the ordinance in Subitem A and adopt the resolution in Subitem B:

Subitem-A: (O-2004-114)

Introduction of an Ordinance approving and adopting the Eighth Amendment to the Redevelopment Plan for the Centre City Redevelopment Project.

Subitem-B: (R-2004-940)

Certifying that the Council has reviewed and considered information contained in the Environmental Secondary Study for the Proposed Eighth Amendment to the Centre City Redevelopment Plan; approving the Environmental Secondary Study for the Proposed Eighth Amendment; and making certain findings and determinations regarding environmental impacts of the action.

NOTE: This is a Special Joint Public Hearing with the Redevelopment Agency. See the Redevelopment Agency Agenda of March 23, 2004 for a companion item.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

RESOLUTION:

ITEM-334: Application for Economic Development Initiative (EDI) Grant for San Diego Rescue Mission Transitional Housing at 120 Elm Street.

(See San Diego Housing Commission Report HCR04-10. District-2.)

SAN DIEGO HOUSING COMMISSION'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-878)

Authorizing the San Diego Housing Commission to apply for, accept, and disburse the EDI grant proceeds on behalf of the City of San Diego, as more particularly described in San Diego Housing Commission Report No. HCR04-10;

Directing the City Clerk to file a Notice of Determination with the Clerk of the Board of Supervisors and the California Office of Planning and Research regarding the approval of the funding application.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT